App F IX 4

Previous References

1948-49 (Ml)

File No 67-48

Serial Nos ~~[illegible]~~ 101, 102

Later References

Ml 57 4a (27, 28)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two

P 24. (E)

Part B for Aug '49

SUBJECT

Sale of Site Nos 21, 22, 23 and 24 of Mulkere Extension, Shimoga

---

To

The Presdt, T Ml Cl Shimoga

No L 2257/D 25-8-49

Directs to Resell the Sites

K66

Sale of Sites No 21 22, 23 & 24 of Weavers in Shimoga Town Municipality—

2743/RE

From

The Deputy Commissioner
Shimoga District

Letter No Hg C 2626 - 413/47-48 dated 30th Sept 48

Forwards the records relating to the sale of Sites the above Sites in Shimoga Town Municipality to the remarks thereon—

It is found from the records forwarded by the DC Shimoga that a resale has been conducted on 22 3 48 instead of conducting the adjourned sale, which was terminated the proceedings of which were transmitted on 4 2 48 (Flag A), when some of the bidders were suggested to auction all the four Sites in one lot, and on the offer of Rs 8000/— by Sri Svalingappa—

2) The President has issued Press Notifications fixing the resale of Sites on 22 3 48 (Flag B) and the result of the resale on 22 3 48 is noted in the margin of the DC's letter

3) The RLA has agreed to confirm the Sale of these Sites and to the conformation of the Site No 22 in favour of Sri Prahalada Char as decided by Sri Jayaramachar at its meeting held on 3 3 48 (Flag I)

4) The President has not obtained the previous sanction of the Govt under section 38(2) of the

Sale of Sites 21 22 23 & 24 of Mallikarjuna Shetty Town — Ramapalya — 2743/Ad

Town municipalities Act 1933 where the estimated cost of the immovable property proposed exceeds Rs 1000/—

5) The replies furnished by the President on the following defects pointed out by the DC are however, not convincing vz

i) A Resale having been conducted instead of the adjourned Sale

ii) Non service of Notice to Sri Subbaiyappa who had offered a highest bid of Rs 8000/— on 7 2 48 for 4 Sites —

iii) Loss of Rs 490/— as a result of confirmation of the resale on 22 3 48

6) Now for the consideration whether fresh proposals be called for, as pointed at para 4 supra — Sub Founder —

9/11 7) Put up for orders as to whether the Dis prior may be accepted & a fresh Sale of the Sites ordered

Office of the Minister for Local Self Government
No 2663
Date

8) A fresh Sale appears to be desirable however for orders Newspaper 19/11/48

9) A fresh sale may 23/11/48

Transmitted L.S. & 19/11/48 Re 6/12/48

Sale of Plot No 21 22 23 24 in Kuvempu Nagar in Shimoga Town
Mfg -

Serial No

√6997
√7139

11) Dft letter at page 7 12/48

12) Sub with draft letter letter referred para 9 Supra
8/12

13) Issue
8/12/48

Do

No 01 Shimoga Dt
L 6256/d 9-12-48
Calls for information

Supra 12/1

From

1) The Pdt Mun Cl Shimoga,
No C3 Mtg 18/8-3-49,
Forwards the resolution dated 28-2-1949 of the Shimoga Town Mun Cl in the matter

11) The Dy Commr Shimoga Dt,
Flag L — x No M3 C 2626-413/15-3-1949,
Forwards the letter of the President of the Shimoga Mun. Cl. dated 26-2-49

14) The Pdt reports that it is not desirable to hold a fresh sale of the site and that the holding of a fresh sale may result in a loss to the Mfg. It is reported that the contention of Sri Sivalingappa is not tenable the Shimoga Town Mun Cl have again approved of the sale of sites held in public auction on 22-3-48 at the meeting held on 28-2-49 and decided

Flag S

Dft—Certn Sec

Sale of sites No 21, 22, 23 and 24 of Nulkeri Extn in Shimoga Town

File No of 194

General and Revenue Secretariat

Serial No

to the effect that the Govt may be requested to direct to confirm the sale of sites held on 22-3-48. It is also reported that the sale held was regular and in conformity with the conditions of the sale notifications

6997
U 7/39/21

15) The Dy Commr Shimoga Dt in his report states that he has requested the Pdt not to delay any longer the proceedings of holding a relate Subd for perusal and orders

22/3/49 Dr 23/3/49

16) For perusal the receipt of the further report will be awaited

Sd/- 28/3/49 M/3

17 Dr 29/3/49 Sd/- 29/3/49

18

Reminder Subd

Sus A
25/3/49

Dr 18/4/49 Issue Dr 19/4/49

From

Y No 11990 dtd 6-4-49

The Dy Commr Shimoga Dt
M3 C 2626-413/24-4-49
Invites reference to the letter
No 18 M & 18/48-49 dated
8-3-49 received from the
Ml Pdt

20 The opinion of the Ml Cl in the

WD 02353—GPB—30 000—11 5 48

19 Dr 6/5/49

Sd/- 6/5/49

Sale of sites No 21 and 24 of Tulkere

5

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

8194
9/5

matter of holding a resale is noted in para 11 supra

21) Subd for kind perusal and orders

6/5/49 22) The things in question are not in favour of holding a resale of the sites in question and they have resolved on 28/2/49 that the sale previously held on 2/8/48 may be confirmed

23) The President, while forwarding the Land resolution has explained the reasons or grounds on which it is considered not desirable to hold a resale. He has left it for personal -

24) The present reference does not comply with other orders of Govt Communicated to the President thro the D.C (vide para 9 supra) Hence for orders if the views of the D.C though Dist Magte called for in the Govt letter referred to in para 9 supra

Flag W.

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No 5768
Date 9/5/49

To
Dat 7/5

may be called for

7/5/49

SECRETARIAT TO GOVT. MYSORE
Cont. Sheet
Dat 9/5

24) the views of the D.C may be called from him.

7/5/49

26/6/49

9/5/49

30/8/47

Resale by Sales No 21 to 24 by Mulkere

Ep/IV, Shimoga Town

File No of 194

General and Revenue Secretariat

Serial No

27) Dft. letter

for Sd/7/49

8194

V9006/Rel

V1003

Subd with a draft letter

for 5/7/49 Dy 7-7-49

I Sec

for 6/7/49

To

The Dy Commr Shimoga Dt.

No L255/7-7-1949

Calls for information

Sus A

8/7/49

From

The Dy Commr Shimoga Dt

No M3 C 2626-413/47-48 dt 2-8-49

Furnish opinion

28) The Dy Commr, Shimoga Dt is of opinion that, in view of the opinion that the sales have not been ~~held~~ entirely regular, it seems desirable to re-sell the sales with the sterling bid offered by Sri Shivalingaiah

29) The report of the D.C is for kind perusal and orders Reference para 24 to 26 supra

for 7/8/49 Dy 9.8.49

30) The President, Shimoga Town Mpl will be informed that as the sales of the stand have not been held regularly, the premises will be re-sold by them may be resold, with the enhanced

Resale of site Nos 21 & 22 of Malke Extn, Shimoga

General and Revenue Secretariat | File No | of 194 | App F III 2 — 7

Serial No

8192
9006
1003

A

Office of the Minister for Local Self Government
No 725
Date 4/8/49

Secretariat to Govt of Mysore
No
Date 4/8/49

Secretariat to Govt of Mysore
Dept
Date 13/8/49

Stamp had offered by the Tahsildar, who ought to be asked to deposit a certain amount before passing the resale, as recommended by the D.C Shimoga Distr

31) For orders - refer para 26 Instrn

Section Officer 9/8/49

It may be approved

Minister 12/8/49

13/8/49

Draft letter please

17/8/49

Subd with a draft letter for appl

18/8/49
1918/

Issue
19/8/49

To
The Pdt, Town Municipal Council Shimoga
No L2257/Rel 67-48-102
25-8-49

Directs to resale the site

B
Note—Contra Sheet
30/8/49

File No of 194

General and Revenue Secretariat

Serial No

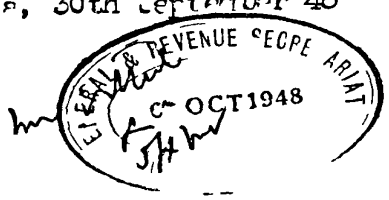
WD 02353—GPB—30 000—11 5 48

ML 2743

2026-413/47-48
Lands records

Office of the Deputy Commissioner,
Shimoga District,
Dated, Shimoga, 30th September 48

ML 67-48-49



To

The Secretary to Government,
Revenue Department,
BANGALORE

Sir,

Subject - Sale of sites 21-22-23 and 24 of Kalkere, Shimoga Town by President, Shimoga Town Municipal Council - obtaining sanction of Government

4/10

I have to enclose herewith the records relating to the above subject and to state as follows

"A"

The President, Shimoga Town Municipal Council conducted the sale of sites bearing Nos 21-22-23 and 24 in Kalkere extension on 7-2-48 as per sale notification issued advertising their disposal in public auction It is seen from the proceedings that site No 24 was first put to auction and a bid of Rs 1400/- was secured from one Sri Prahladachar At this stage of the proceedings, on the representation of some of the bidders that all the four sites may be put to auction in one lot, the proceedings for disposal of four sites in one lot were pursued A bid of Rs 800/- was offered by one Sri Sivalingappa The sale proceedings were terminated with a share by the sale conducting officer, i e the President "ಸದರಿ ಯಾವ ಬಿಡ್ಡನ್ನೂ ಕೂಗಿರುವುದಿಲ್ಲವೆಂದು ಹೇಳಿ ಹರಾಜನ್ನು ಕೊನೆಗೊಳಿಸಿದರು"

B

Instead of conducting the adjourned sale, the President issued fresh notifications fixing the sale on 22-5-48 On that date the sale was held and the result of the sale is as noted in the margin* The question of confirmation of these sales was placed before the Council at the meeting held on 26-5-48 and resolution was passed The copy of the resolution of the Council agreeing to confirm the sale of these sites and also to confirm site No 22 in favour of Sri Prahladachar as per prayer of Sri Jayathirthachar and Sri Prahladachar is enclosed to records

I

*

1	site No 22	Sri Jayathirthachar	Rs 1960/-
2	site 23	- do	1860/-
3	--	24 Sri [illegible]appa	1725/-
4	site	21 Sri Basavanyappa	2025/-
		Total	Rs 7510/-

Sri Sivalingappa presented an objection petition on 26-5-48 to this office against the confirmation of the sale Thereupon the records were called, the following defects were pointed out to the President with a request to obtain the opinion of the Municipal Council in -

in respect of the1

1) A resale having been conducted instead of the aforesaid sale
2) Non service of notice on Sri Sivalingappa who had offered a highest bid of 8000/- for 4 sites
3) Loss of Rs 490/- as a result of confirmation of the resale

The report dated 16th August 1948 of the President, on each point is enclosed to the records for kind information The President has stated that the proceedings held on 7-2-48 does not amount to sale but can only be considered as a mere call inviting bids and hence the question of cancellation of sale held on 7-2-48 does not arise before holding sale on 22-3-48 As regards non-service of notice of resale on Sri Sivalingappa it is stated that his brother Sri Narayanappa was present at the sale and hence the objection of Sri Sivalingappa is not tenable

As regards the next point about net loss of Rs 490/- he has said that the disposal of sites in lots is not in accordance with standing circular instructions from Government and therefore the loss of Rs 490/- is not due

The replies furnished by the President on each of the observations made by this office is not however convincing

In this connection, I wish to bring to the notice of Government that in respect of the sale of immoveable properties estimated to cost more than Rs 1000/- the previous sanction of Government should be obtained (vide Sec 56 (2) of the Town Municipalities Act Transgression of this provision laid down in the Act has been pointed out to the Municipal President by Government on previous occasions

I request the favour of early orders in the matter

Yours faithfully,

Deputy Commissioner
Shimoga District
(Absent from Head-Quarters)

Book d6286/ RK 67-48-20 3

Sec D) 9-12-48 2 Copies

The Deputy Commissioner
Shimoga District

Subject Sale of Plots 21 22 23 24 of Kuvempu Nagar in Shimoga town Municipality —

Sir With reference to your letter No. Misc 2026 - 413/47-48 dated 30th Sept 48 on the above subject, I am directed to request that a fresh Shimoga Tenders may be invited for holding a fresh Sale of the above Plots may be forwarded, for the confirmation of the under Sec 38(2) of the Town Municipalities Act 1933, and all the proceedings of the Sale of Plots be sent for orders —

Mr Grove

The words always for repeat

retransmission

Yours faithfully

for Mr Lutz

Dr.

L 6286/ml 67-48.20
By 9 12-48

5

The

Revenue Department

To

The Deputy Commissioner,
Shimoga District

SUBJECT Sale of sites 21,22,23,24 of Mulkene in Shimoga Town Municipality

Sir,

With reference to your letter No M3 C 2626-413/47-48 dated 30th September 1948 on the above subject, I am directed to state that, in view of the irregularities noticed in the sale of the sites now held, the President, Shimoga Towr Municipal Council, may be requested to hold a fresh sale of the above sites and ~~to~~ forwerd the confirmation of Government under Section 38(2) of the Town Municipalities Act, the results of the sale

The records accompany for reference and retransmission

Yours faithfully,

For Secretary to Government,
Revenue Department

No. C 2626-A19/47-48 Office of the Deputy Commissioner,
Shimoga District,
Shimoga, dated, 16th March 1948.

7139

To

The Secretary to the Government of Mysore,
General Department, Bangalore

Sir,

Subject - Resale of sites No. 21 to 24 of Hullekere

Ref. No. I 9155

With reference to your reminder/dated 10-2-48 on the subject noted above, I have the honour to enclose herewith the reply received from the President, Town Municipal Council, Shimoga.

The attention of the President, has been invited to No. C2963 dated 9-12-47 wherein he was requested to submit records for confirmation after holding a resale. The President has been requested not to delay any longer the proceedings of holding a resale.

Yours faithfully,

Deputy Commissioner,
Shimoga District

cnr)

C3 2nd No. 18
Encls 47 48

OFFICE OF THE PRESIDENT
TOWN MUNICIPAL COUNCIL

Shimoga Dated 5th March 194

6997

From

The President
Town Municipal Council
SHIMOGA

To

The Secretary to Government,
General Department,
BANGALORE

Sir,

Subject Sale of sites No 21,22,23 and 24 of Vulkere Extension in Shimoga Town Municipality

***

Adverting to the Deputy Commissioners' office memo No C3 C 2626-413/47-48 dated 15th December 1948 forwarding a copy of Letter No C28C dated 8-12-48 received from the Secretary to the Government, Revenue Department, requesting the President Shimoga Town Municipal Council to hold a fresh sale of the above sites in view of the irregularities noted in the sale of the sites held on 22-3-1948, I write to state as per the resolution of the Municipal Council dated 28-12-48 a reference was made to the Deputy Commissioner in this office No C3 I 39/47-48 dated 7th January 1948 requesting him to obtain sanction of Government to confirm the sale held regularly.

The record was returned by the Deputy Commissioner, Shimoga with the observation that no recommendation can be made to Government for the confirmation of the sale in question, as the sale held previously was not in conformity with the rules etc

When the subject was taken up before the Municipal Council at their meeting held on 28-2-1948 for consideration of the observation made by the Deputy Commissioner received in his memo No C3 C 2CCC-413/47-48 dated 16-1-48 it was resolved that

to

Covernm nt ma/ be requested direct to confirm the sale of the sites ir question as the sale was held regul rly and in confirmity with the conditions mentioned in the sale notification

I ma/ add here that if the sale is held now it may not fetch such a good price and that it may result in a loss to the Municipality It is also not desirable to create a monopoly by selling all the sites to one person, who will naturally subdivided them into v ry small bits to make his own profit It would be very difficult for the Municipality to control him in case of one person is the owner of several sites continuously in a plot It is also desirable in th se days when there is a great dearth for houses that sites are made available to as many people as possible irrespective of a small loss of s 495/- that the Municipality has incurred This aspect also as specially considered by the Municipal Council at their meet ng held on 3-5-48

Regarding the irregularities in the sale, as observ d in your letter dated 9-12-48 I may state that on 7-2-48 there were not many bidders so it was considered necessary to notify again the sale of the sites Hence a fresh sale notification fixing the date of sale on 22-3-48 was widely published in the town and also as Sri Basavannappa brother o Sri Sivalingappa was present at the time of sale, the contention of Sri Sivalingappa made in his petition dated 20-5-48 is not tenable The Municipal Council are of opinion thatthe sale already held is in order and that they see no reason why the sites in question should be notified for sale again creating an undesirable effect in the mind of the public If the sale already held is set aside it would be very difficult to secure bidders for the Municipal sales in future

As the parties here invested heavy amount on these sites they are pressing for the possession o sites for construction of houses

I therefore request you to kindly to obtain sanction of Covernm nt to the sale of sites as proposed by the Municipal Council at an early date

All the connected records tog ther with a ~~xxxxxxxxxxxx~~ copy of the resolution of the Municipal Council are here in enclosed for reference

Yours faithfully,

President

9006/RE 10

No C 3 Mnl 38
Encls 1 47/48

OFFICE OF THE PRESIDENT
TOWN MUNICIPAL COUNCIL.
Shimoga Dated 23rd May 1940

From

The President
Town Municipal Council
Shimoga

To

The Secretary to the Government,
General Department,
BANGALORE

Sir, Mnl 67-48-101

Subject - Sale of sites No 21,22,23 & 24 of Hulkere Extension in Shimoga Town Municipality

In inviting your kind attention to this office even no C3 Mnl 38/47-48 dated 9-3-48 re: the confirmation of the above said sale I write to state that the sanction for the sale has not been received so far The purchasers Sri B Basavarna and Jayatirthachar and others are pressing for the possession of the sites with a view to constructing houses on their sites instead of keeping them vacant, as they have invested heavy amount on their sites

Hence I request that early arrangements may be made to send the record with due sanction

Said The main file on the subject has been submitted to the Minister for Rev on 9/5/49 vide D.O. No. 27/5/49 8194 Pr 275 49

Yours faithfully,
K Kenchanagowda
President

This reminder is submitted for orders, in continuation

thro' the Secretary for

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 5769
Date 3/5/45

Under secretary
TNO 5268

To

The Dy Comrr Shimoga Distrct

Sir,

Subject:— Resale of sites No 21 to 24 of Mulkere Extn, Shimoga Town

With reference to your letter No M3 C 2626-413/47-48 dated 15-3-49 forwarding the letter No C3 RL 38/48-49 dated 26-2-49 addressed to you by the Pdt, Town Mcl Shimoga on the above subject, I am directed to request you to furnish

Your opinion
~~views~~ on the decision of the
MU Cl re the resale of
the sites in question very
early.

Records accompany yours faithfully,
for reference & [illegible] 6/7/49
[illegible]-transmission for Secy of State
By Secl Dept
6/7/49

13

L258 d 7 4 49

The Deputy Commissioner,
Shimoga District

Sir,

Subject Resale of sites No 21 to 24 of Mukere
Extension, Shimoga ~~District~~ Town

With reference to your letter No M3 C 2626-413/47-48 dated 15-3-49 forwarding the letter No C3 ML 38/48-49 dated 26 2.49 addressed to you by the President, Town Municipal Council, Shimoga on the above subject, I am directed to request you to furnish your opinion on the decision of the Municipal Council regarding the resale of the sites in question ~~xx~~ very early

Records accompany for reference and retransmission

Yours faithfully,

For General Secretary to Government

14

No M3 C 2626/413/47-48
Encl: Records

Office of the Deputy Commissioner
Shimoga District
Shimoga dated 2nd August 1949

GENERAL & REVENUE SECRETARIAT
1003
6 AUG 1949
E U I PAL BRANCH

SECRETARY TO GOVT OF MYSORE
To
Date 4/8
GEN REL & AGRICULTS

The Secretary to Government,
General Department, Bangalore

Sir,

GOVT OF MYSORE
3/8

Subject - Re-sale of Sites 21 to 24 of Mulkere Extension, Shimoga Town

***

With reference to your letter No 258 dated 7-7-49 on the subject noted above, I have the honour to state that, in the view that appears to have been held in the case that the sales have not been entirely regular, it seems desirable to resell the sites (individually so as to avoid the monopoly which the Municipal Council apprehends) with the starting bid offered by Sri Shivalingappa The Municipal Council may also obtain a deposit from him if considered necessary before holding a resale The connected records are enclosed

Yours faithfully,

Deputy Commissioner
Shimoga District

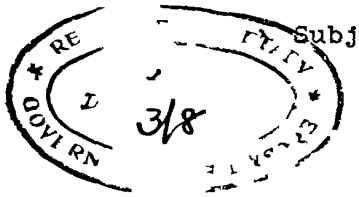
knr)

14

No M3 C 2626/413/47-48 Office of the Deputy Commissioner
Shimoga District
Encl. Records Shimoga dated 2nd August 1949

The Secretary to Government,
General Department, Bangalore

Sir,



Subject - Pe-sale of Sites 21 to 24 of Mulkere Extension, Shimoga Town

***

With reference to your letter No. 258 dated 7-7-49 on the subject noted above, I have the honour to state that, in the view that appears to have been held in the case that the sales have not been entirely regular, it seems desirable to resell the sites (individually so as to avoid the monopoly which the Municipal Council apprehends) with the starting bid offered by Sri Shivalingappa The Municipal Council may also obtain a deposit from him if considered necessary before holding a resale The connected records are enclosed

Yours faithfully,

Deputy Commissioner
Shimoga District

knr)

6 Yours 15

Appendix I G—1] No 4

SUBJECT Resale of sites Nos 21, 22, 23 and 24 of Nulkeri Extension, Shimoga Town.

Section Rev
File No 67-48
Serial No 102

Diary No of letter replied to

No L 2257/ML 67-48-102
25-8-1949

To The President, Town
Municipal Council, Shimoga

General and Revenue Secretariat

( )

the *194*

Date of issue 25-8-1949

Sir,

Signed by Sri G. R Rao

With reference to your letter No C3 ML 38/47-48 dated 23rd May 1949 on the above subject I am directed to state that, as the sales of the said sites have not been held regularly and the present sale should be set aside and fresh sites may be resold individually with the starting bid offered by Sri Shivalingaiah

of Rs 1400/-

List of enclosures

Copied by

Examined by

WD 02703—GPB—1,000—28 4 48

offer

The Mc Council may also ask Sri Swalingappa ~~to be asked~~ to deposit a certain amount before holding the Resale We record - accompany

yours faithfully

for

For Secy to Govt

Genl Dept

JAL

Memo No L 2258/mel Dt 25-8-49

Copy of the above is forwarded w/c is the Dy Commr, Shimoga Dt for information w/r to his letter No M3 C 2626-413/47-48 dated 9-8-49

By order

for

Jr Asst to Govt

Genl Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 2257/ML 67-48-102 General and Revenue Secretariat

Dated Bangalore 25-8-1949

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
General Department

Bangalore

TO

The President,
Town Municipal Council,
Shimoga

SIR

SUBJECT Resale of sites Nos 21, 22, 23 and 24 of Mulkere Extension, Shimoga Town

With reference to your letter No C3 M L.38/47-48 dated 23rd May 1949 on the above subject, I am directed to state that the Government consider that the sales now held of the said sites have not been conductdd regularly and the sales should be accordingly set aside Hence the sites may be resold individually with the starting bid offered by Sri Shivalingappa

The Municipal Council may also ask Sri Shivalaingappa to deposit a certain amount before holding the resale

The records accompany

Yours faithfully,

Sd/- Mir Safdar Hussain,

General Secretary to Government

Memo No L2258/ML 67-48-102 dt 25-8-1949

Copy of the above is forwarded, with compliments, to the Deputy Commissioner, Shimoga District, for information with reference to his letter No M3 C 2626-413/47-48 dated 2nd August 1949

By Order,

For General Secretary to Government